

## Article - Health - General

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§8-1001.

(a) Each county shall have a local drug and alcohol abuse council.

(b) On application from a county, the Governor or the Governor's designee may designate a county criminal justice coordinating council, substance abuse advisory council, or other agency or organization as the local drug and alcohol abuse council for that county.

(c) Except as provided in subsection (b) of this section, a local drug and alcohol abuse council shall consist of the following individuals:

(1) The health officer of the local health department, or the health officer's designee;

(2) The director of the local department of social services, or the director's designee;

(3) The Regional Director of the Department of Juvenile Services, or the Director's designee;

(4) The Regional Director of the Division of Parole and Probation, or the Director's designee;

(5) The State's Attorney for the county, or the State's Attorney's designee;

(6) The district public defender for the district in which the county is located, or the district public defender's designee;

(7) The chief of the county police department, if the county has a police force, or the sheriff, if the county does not have a police force, or that individual's designee;

(8) The president of the local board of education, or the president's designee;

(9) A representative of the county executive, the Mayor of Baltimore City, or the county commissioners or county council in counties with no county executive, as appropriate;

(10) For charter counties and in Baltimore City, a representative of the county council or the city council in Baltimore City, appointed by the chairperson or president of the county council or city council;

(11) The county administrative judge of the circuit court for the county, or the judge's designee;

(12) The administrative judge of the district court for that district, or the judge's designee; and

(13) The following individuals appointed by the county executive, the Mayor of Baltimore City, or the county commissioners or county council in counties with no county executive, as appropriate:

(i) At least one recipient of addictions treatment services;

(ii) Two substance abuse providers, at least one of whom has experience with services to individuals with co-occurring substance abuse and mental health disorders;

(iii) At least one substance abuse prevention provider;

(iv) At least one individual who is knowledgeable and active on substance abuse issues that affect the county;

(v) The superintendent, warden, or director of the local correctional facility located in the county or in Baltimore City the warden of the Baltimore City Detention Center; and

(vi) At least one other individual who is knowledgeable about treatment of substance abuse in the county, including members of civic organizations, the chamber of commerce, health care professional organizations, or the clergy.

(d) (1) The term of a member appointed under subsection (c) of this section is 4 years.

(2) The terms of members are staggered as required by the terms provided for members of the council on July 1, 2004.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(e) The local drug and alcohol abuse council shall:

(1) Determine its own governing structure, including issues relating to appointment of a member to serve as chairman;

(2) Develop and submit a plan to the Administration as required in this section;

(3) Submit a summary report to the Governor or the Governor's designee on or before December 1, 2004, on its membership, organization, rules, progress in developing a plan, and compliance with this section; and

(4) (i) On July 1, 2005, and every 2 years thereafter, submit a local plan as described in subsection (f) of this section to the Governor, or the Governor's designee; and

(ii) Report every 6 months to the Administration on its progress in implementing the plan.

(f) A local plan shall:

(1) Include the plans, strategies, and priorities of the county for meeting the identified needs of the general public and the criminal justice system for alcohol and drug abuse evaluation, prevention, and treatment services;

(2) Include a survey of all federal, State, local, and private funds used in the county for alcohol and drug abuse evaluation, prevention, and treatment; and

(3) Be in a format as prescribed by the Administration.

(g) A county or unit of a county applying for funds from a State unit for any alcohol or drug abuse evaluation, prevention, or treatment services within that county shall submit that application to the local drug and alcohol abuse council for its consideration.

(h) (1) The local drug and alcohol abuse council may recommend to any federal or State unit or private foundation that an application for any funds for drug or alcohol abuse evaluation, prevention, or treatment services in the county be approved.

(2) (i) A local drug and alcohol abuse council shall consider whether the grant application is consistent with the local plan and the strategies and priorities set out in the local plan.

(ii) A recommendation by a local drug and alcohol abuse council may include any additional information the council considers useful to the governmental unit or private foundation in its consideration of the application.

(i) (1) The Administration may provide each local drug and alcohol abuse council with any necessary technical assistance.

(2) The Administration shall provide any funds available from the Maryland Substance Abuse Fund or other sources for operation of a local council on submission of a request for funds and approval of a budget in accordance with Administration regulations.

(j) The planning, reporting, and reviewing requirements for a local drug and alcohol abuse council under this section do not apply unless appropriate State funding for fulfilling the requirements has been provided.

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